

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

REX – REAL ESTATE EXCHANGE
INC,

Plaintiff(s),

v.

ZILLOW INC et al.,

Defendant(s).

CASE NO.
2:21-cv-00312-TSZ

MINUTE ORDER SETTING TRIAL
DATE AND RELATED DATES

JURY TRIAL DATE

October 17, 2022

Length of Trial

12 days

Deadline for joining additional parties

September 30, 2021

Deadline for amending pleadings

September 30, 2022

Disclosure of expert testimony under FRCP 26(a)(2)

March 28, 2022

All motions related to discovery must be filed by
and noted on the motion calendar no
later than the third Friday thereafter
(see LCR 7(d))

May 19, 2022

Discovery completed by

May 31, 2022

All dispositive motions must be filed by
and noted on the motion calendar no later than the
fourth Friday thereafter (see LCR 7(d))

July 28, 2022

All motions related to expert witnesses
(*e.g.*, a Daubert motion) must be filed by
and noted on the motion calendar no later
than the third Friday thereafter (see LCR 7(d))

August 4, 2022

1 All motions in limine should be filed by September 15, 2022
 2 and noted on the motion calendar no later than
 3 the Friday before the Pretrial Conference.
 (See LCR 7(d)(4))

4 Agreed Pretrial Order due¹ September 30, 2022

5 Trial Briefs, proposed voir dire questions, and
 6 jury instructions due September 30, 2022

7 Pretrial conference to be held at **10:00 AM** on October 7, 2022

8 These dates are set at the direction of the Court after reviewing the joint status
 9 report and discovery plan submitted by the parties. All other dates are specified in the
 10 Local Civil Rules. These are firm dates that can be changed only by order of the Court,
 11 not by agreement of counsel or the parties. The Court will alter these dates only upon
 12 good cause shown: failure to complete discovery within the time allowed is not
 13 recognized as good cause.

14 As required by LCR 37(a), all discovery matters are to be resolved by agreement
 15 if possible. Counsel are further directed to cooperate in preparing the final pretrial order
 16 in the format required by LCR 16.1.

17 Notwithstanding Local Civil Rule 16.1, the exhibit list shall be prepared in table
 18 format with the following columns: "Exhibit Number," "Description," "Admissibility
 19 Stipulated," "Authenticity Stipulated/Admissibility Disputed," "Authenticity Disputed,"
 20 and "Admitted." The latter column is for the Clerk's convenience and shall remain blank,
 21 but the parties shall indicate the status of an exhibit's authenticity and admissibility by
 22 placing an "X" in the appropriate column. Duplicate documents shall not be listed twice;
 23 once a party has identified an exhibit in the pretrial order, any party may use it.

24 ¹ The Agreed Pretrial Order shall be filed in CM/ECF and shall also be attached as a Word compatible file
 25 to an e-mail sent to the following address: ZillyOrders@wawd.uscourts.gov

1 The original and one copy of the trial exhibits are to be delivered to the courtroom
2 at a time coordinated with Gail Glass, who can be reached at (206) 370–8522, no later
3 than the Friday before the trial. Each set of exhibits shall be submitted in a three–ring
4 binder with appropriately numbered tabs. Each exhibit shall be clearly marked. Plaintiff's
5 exhibits shall be numbered consecutively beginning with 1; defendant's exhibits shall be
6 numbered consecutively beginning with the next multiple of 100 after plaintiff's last
7 exhibit; any other party's exhibits shall be numbered consecutively beginning with the
8 next multiple of 100 after defendant's last exhibit. For example, if plaintiff's last
9 exhibit is numbered 159, then defendant's exhibits shall begin with the number 200; if
10 defendant's last exhibit is number 321, then any other party's exhibits shall begin with
11 the number 400.

12 Counsel must be prepared to begin trial on the date scheduled, but it should be
13 understood that the trial might have to await the completion of other cases.

14 Should this case settle, counsel shall notify Judge Zilly's Chambers at
15 (206) 370–8830 as soon as possible.

16 A copy of this Minute Order shall be mailed to all counsel of record.

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18 s/ Thomas S. Zilly
19 Thomas S. Zilly
20 United States District Judge
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